

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
BALTIMORE DIVISION**

JENNIFER SCHANTZ,

Plaintiff,

v.

CIVIL ACTION NO.

FIRST SOURCE ADVANTAGE, LLC,

Defendant.

PLAINTIFF'S COMPLAINT AND DEMAND FOR JURY TRIAL

JENNIFER SCHANTZ (Plaintiff), through attorneys, KROHN & MOSS, LTD., alleges the following against FIRST SOURCE ADVANTAGE, LLC, (Defendant):

INTRODUCTION

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, *15 U.S.C. 1692 et seq.* (FDCPA).

JURISDICTION AND VENUE

2. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."
3. Defendant conducts business in the state of Maryland; therefore, personal jurisdiction is established.
4. Venue is proper pursuant to *28 U.S.C. 1331(b)(2)*.

PARTIES

5. Plaintiff is a natural person residing in Columbia, Howard County, Maryland.
6. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)*, and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by *15 U.S.C. 1692a(5)*.
7. Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)* and sought to collect a consumer debt from Plaintiff.
8. Plaintiff is informed and believes, and thereon alleges, that Defendant is a national company with a business office in Buffalo, New York.
9. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

10. On or around May 14, 2011, Defendant began contacting Plaintiff in an effort to collect an alleged debt.
11. Defendant calls from 202-640-4896, and other numbers, looking for a Glen Blackburn (“Blackburn”), who is believed to be the previous owner of Plaintiff’s home.
12. Plaintiff has informed Defendant on numerous occasions that Blackburn has not used this phone number or address for several years, and that further calls are to cease at once.
13. Despite the foregoing, Defendant continues to call Plaintiff repeatedly in an effort to collect on an alleged debt, often up to several times per day.
14. Defendant called Plaintiff on May 14, 16, 17, 19 and 20 (*See Exhibit “A” hereto*) and continues to do so, despite Plaintiff’s repeated requests that calls are to cease.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

15. Defendant violated the FDCPA based on, but not limited to, the following:

- a. Defendant violated §1692c(b) of the FDCPA by communicating, in connection with the collection of any debt, with any person other than the consumer, his attorney, a consumer reporting agency, the creditor, the attorney of the creditor, or the attorney of the debt collector;
- b. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse any person; and
- c. Defendant violated §1692d(5) of the FDCPA by repeatedly causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with intent to annoy, abuse, or harass any person called at that number.

WHEREFORE, Plaintiff, JENNIFER SCHANTZ, respectfully requests judgment be entered against Defendant, FIRST SOURCE ADVANTAGE, LLC, for the following:

16. Statutory damages pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*,
17. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*
18. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

By: /s/ Fredrick Nix
Fredrick Nix - Local Counsel
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VERIFICATION OF COMPLAINT AND CERTIFICATION

(STATE OF MARYLAND

COUNTY OF Howard)

Plaintiff, JENNIFER SCHANTZ, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, JENNIFER SCHANTZ, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

7-1-2011

Date


JENNIFER SCHANTZ

Exhibit “A”











